

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

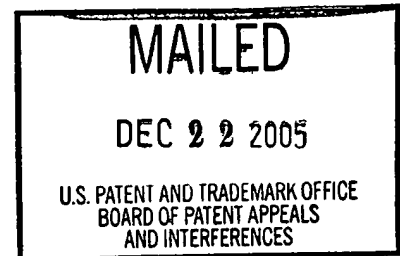
UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte QI JIA, TIMOTHY C. NICHOLS,
ERIC E. RHODEN and SCOTT WAITE

Appeal No. 2005-2045
Application No. 10/091,362

ON BRIEF



Before ADAMS, MILLS and GREEN, Administrative Patent Judges.

GREEN, Administrative Patent Judge.

REMAND TO THE EXAMINER

This case is remanded to the examiner for consideration of the Information Disclosure Statement, dated September 22, 2005, which submitted a foreign reference and its translation, which may be material to the examination of the instant application. Appellants have submitted the IDS (IDS) in accordance with 37 CFR § 1.97(d), accompanied by certification under 37 CFR § 1.97(e)(1), as well as a fee in accordance with 37 CFR § 1.17(p).

This remand to the examiner pursuant to 37 CFR § 41.50(a)(1) is not made for further consideration of a rejection. Accordingly, 37 CFR § 41.50(a)(2) does not apply.

This application, by virtue of its "special" status, requires an immediate action. Manual of Patent Examining Procedure (MPEP) § 708.01. It is important that the Board be informed promptly of any action affecting the appeal in this case.

REMANDED



Donald E. Adams
Administrative Patent Judge



Demetra J. Mills
Administrative Patent Judge



Lora M. Green
Administrative Patent Judge

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